

Also in the introductory language of subsection (b) of this section, the reference to an individual held "by" a correctional facility or barracks is added to state expressly that which was only implied in the former reference to "held".

In subsection (b)(2) of this section, the independent reference to "a barracks of the Department of State Police" is substituted for the former reference to institutions and facilities "under the jurisdiction of the Division ... including Department of State Police barracks" to reflect that the Department of State Police is no longer under the jurisdiction of the Department of Public Safety and Correctional Services.

In subsection (b)(1) of this section, the former phrase "from time to time" is deleted as implicit in the reference to "as the Division orders".

Defined terms: "Commissioner" § 9-101  
 "Correctional facility" § 1-101  
 "Division" § 9-101  
 "Inmate" § 1-101  
 "State correctional facility" § 1-101

9-104. LENGTH OF SENTENCES TO THE JURISDICTION OF THE DIVISION.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL SENTENCED IN BALTIMORE CITY.

(B) MINIMUM SENTENCE; EXCEPTION.

NOTWITHSTANDING ANY OTHER LAW, A JUDGE MAY NOT SENTENCE AN INDIVIDUAL TO THE JURISDICTION OF THE DIVISION FOR 12 MONTHS OR LESS UNLESS:

(1) THE SENTENCE IS FOR AN OFFENSE COMMITTED BY AN INMATE IN A CORRECTIONAL FACILITY UNDER THE JURISDICTION OF THE DIVISION; AND

(2) THE INMATE IS STILL UNDER THE JURISDICTION OF THE DIVISION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 690(c).

In subsection (a) of this section, the reference to an "individual" is substituted for the former reference to a "person" because only a human being, and not the other entities included in the defined term "person", can be sentenced to imprisonment. See § 1-101 of this article for the definition of "person".

In the introductory language of subsection (b) of this section, the phrase "[n]otwithstanding any other law" is substituted for the former phrase "[n]otwithstanding any provision of this article or any other law to the contrary" for brevity.